

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NATTYMAC, LLC, doing business as
NATTYMAC CAPITAL, LLC,

Plaintiff,

v.

FIRST WEST MORTGAGE BANKERS, LTD.,
a domestic business corporation registered in the
State of New York; RICHARD TSCHERNIA,
individually as Guarantor and as Director of
FIRST WEST MORTGAGE BANKERS, LTD.;
ESTATE OF BERNARD TSCHERNIA,
Deceased, individually as Guarantor and as
President of FIRST WEST MORTGAGE
BANKERS, LTD.; and DOES 1 through 10,
inclusive,

Defendants.

CASE NO.: 08 CV 1204 (DLC)

DECLARATION OF KAREN E.
HANSELL REGARDING SERVICE OF
SUMMONS, COMPLAINT AND CIVIL
COVER SHEET UPON DEFENDANT
ESTATE OF BERNARD TSCHERNIA

I, Karen E. Hansell, declare:

1. I am a paralegal for American Mortgage Law Group, P.C., which represents the Plaintiff herein, and I have personal knowledge of each fact stated in this declaration.

2. I assisted attorneys Evans Prieston and James Brody in the preparation of the subject Summons and Complaint, and thereafter personally facilitated the court filing on September 26, 2007, and subsequent service upon the Defendants.

3. I was advised by James Brody that attorney Michael Freeman, attorney for Defendant Estate of Bernard Tschernia, agreed to accept service on behalf of the Estate of Bernard Tschernia.

4. On February 19, 2008, I sent via Federal Express the Summons, Complaint, and Civil Cover Sheet to Michael Freeman, to be delivered to his office located at 24 West 40th Street, 17th Floor, New York, NY 10018. I included a cover letter confirming Michael

Freeman's agreement to accept service, a true and correct copy of which is attached hereto as

Exhibit "A."

5. The package containing the Summons, Complaint, Civil Cover Sheet and cover letter were delivered to Michael Freeman's office in New York on February 20, 2008 at 12:44 p.m. The package was signed for by "M. Freeman" at the front desk/reception area. A true and correct copy of the Federal Express delivery confirmation is attached hereto as Exhibit "B."

6. On March 13, 2008, I received an email forwarded to me by attorney James Brody wherein Michael Freeman requested an extension of time to respond to the Complaint until April 4, 2008. This request would not be made, had not Mr. Freeman accepted service in the first place. A copy of the email request for an extension of time to respond is attached hereto as Exhibit "C."

7. Shortly thereafter, I was informed by attorney James Brody that settlement was imminent and it was likely that we would not need to proceed with the lawsuit, therefore, I did not immediately file with the court the proofs of service upon the other Defendants, which I had placed in our litigation files. The parties executed a Settlement Agreement and Mutual Release on April 17, 2008, and an Amendment on May 8, 2008.

8. On June 7, 2008, I was informed by attorney James Brody that the Defendants had breached the settlement agreement and that we would now have to proceed with the lawsuit.

9. I declare under penalty of perjury that the foregoing is true and correct. Executed in Novato, California on June 6, 2008.

By Karen E. Hansell
KAREN E. HANSELL

EXHIBIT A

AMERICAN
MORTGAGE LAW GROUP, P.C.

75 Rowland Way, Suite 350

Novato, CA 94945

Telephone (415) 878-0030

Facsimile (415) 878-0035

February 19, 2008

Via Federal Express

Michael A. Freeman
Greenberg & Freeman, LLP
24 West 40th Street, 17th Floor
New York, NY 10018

Re: *NattyMac, LLC, etc. v. First West Mortgage Bankers, Ltd., et al.*
U.S. District Court, Southern District of New York Case No. 08 CV 1204

Dear Mr. Freeman:

Mr. James Brody has advised me that you have kindly agreed to accept service of the above-captioned Complaint on behalf of the Estate of Bernard Tschernia (by serving Beverly Polasko, the Executor). Therefore, please find enclosed the Summons, Complaint and Civil Case Cover Sheet.

Sincerely,



Karen E. Hansell
Paralegal

\KEH
Enclosures

EXHIBIT B

Karen Hansell

From: TrackingUpdates@fedex.com
Sent: Wednesday, February 20, 2008 9:50 AM
To: Karen Hansell
Subject: FedEx Shipment 790451042510 Delivered

This tracking update has been requested by:

Company Name: American Mortgage Law Group PC
 Name: Karen Hansell
 E-mail: khansell@americanmlg.com

Our records indicate that the following shipment has been delivered:

Reference: NattyMac/First West
 Ship (P/U) date: Feb 19, 2008
 Delivery date: Feb 20, 2008 12:44 PM
 Shipper for by: M.FREEMAN
 Delivered to: Receptionist/Front Desk
 Service type: FedEx Standard Overnight
 Packaging type: FedEx Pak
 Number of pieces: 1
 Weight: 2.00 lb.
 Special handling/Services: Deliver Weekday

Tracking number: 790451042510

Shipper Information	Recipient Information
Karen Hansell	Michael Freeman
American Mortgage Law Group PC	Greenberg & Freeman, LLP
75 Rowland Way; Suite 350	24 W 40TH ST FL 17; 17TH FLOOR
Novato	NEW YORK
CA	NY
US	US
94945	100180726

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 11:50 AM CST on 02/20/2008.

To learn more about FedEx Express, please visit our website at fedex.com.

All weights are estimated.

To track the latest status of your shipment, click on the tracking number above, or visit us at fedex.com.

This tracking update has been sent to you by FedEx on the behalf of the requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to fedex.com.

2/6/2008

Thank you for your business.

EXHIBIT C

Karen Hansell

From: James Brody
Sent: Thursday, March 13, 2008 2:51 PM
To: William Dentinger
Cc: bolster@nattymac.com
Subject: FW: Natty Mac Capital, LLC v. First West, et al. [CONFIDENTIAL SETTLEMENT COMMUNICATION]
Importance: High

FYI

James W. Brody | American Mortgage Law Group, P.C.
75 Rowland Way, Suite 350 | Novato, CA 94945
T: 415/878-0030 x. 151 | f: 415/878-0035 | e: jbrody@americanmlg.com

This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

From: Michael A. Freeman [mailto:freeman@greenbergfreeman.com]
Sent: Thursday, March 13, 2008 11:22 AM
To: James Brody; rtschernia@aol.com; msbea31@aol.com
Subject: RE: Natty Mac Capital, LLC v. First West, et al. [CONFIDENTIAL SETTLEMENT COMMUNICATION]

Thank you. You may proceed as we discussed.

For purposes of clarity, we request an extension of time to respond to the complaint until April 4, 2008, with the expectation that the deal will be consummated before then.

Michael A. Freeman
Attorney at Law
freeman@greenbergfreeman.com

GREENBERG FREEMAN LLP
24 West 40th Street
17th Floor
New York, NY 10018
tel 646.366.0881
fax 646.366.1384
www.greenbergfreeman.com